

UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF MISSOURI  
DIVISION

Clear Form

CHARLES ROBERT BOWES

**Complaint for a Civil Case**

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.  
(to be assigned by Clerk of District Court)

Plaintiff requests trial by jury:

☒ Yes ☐ No

v.

CITY OF ST. LOUIS, MISSOURI  
AND  
GREGORY F.X. DALY  
in his official capacity  
only,

(Write the full name of each defendant. The caption must include the names of all of the parties. Fed. R. Civ. P. 10(a). Merely listing one party and writing "et al." is insufficient. Attach additional sheets if necessary.)

**CIVIL COMPLAINT**

*NOTICE:*

*Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date, the full name of a person known to be a minor, or a complete financial account number. A filing may include only: the last four digits of a social security number, the year of an individual's birth, a minor's initials, and the last four digits of a financial account number.*

*Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.*

*In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed without prepaying fees or costs.*

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	CHARLES R. BOWES
Street Address	156 SUMMERLIN RIDGE
City and County	O'FALLON, ST. CLAIR
State and Zip Code	ILLINOIS 62269
Telephone Number	618-791-7284
E-mail Address	CRBOWES@YAHOO.COM

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	City of St. Louis
Job or Title	
Street Address	1200 Market Street
City and County	St. Louis, St. Louis
State and Zip Code	Missouri 63103
Telephone Number	314-622-4800
E-mail Address	mayor@stlouis-mo.gov

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant. If you are suing for violation of your civil rights, you must state whether you are suing each defendant in an official capacity, individual capacity, or both.)*

Defendant No. 2

Name

Gregory F.X. Daly

Job or Title

Collector of Revenue

Street Address City and County

1200 Market Street, Room 110

State and Zip Code

Missouri 63103

(314) 622-3730

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only three types of cases can be heard in federal court. Provide the information for this case. *(Include all information that applies to your case)*

### A. Federal question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Equal Protection Clause of the Fourteenth Amendment and  
Unreasonable Seizure under the Fourth Amendment

### B. Suit against the Federal Government, a federal official, or federal agency

List the federal officials or federal agencies involved, if any.

### C. Diversity of Citizenship

These are cases in which a citizen of one State sues a citizen of another State or nation, and the amount at stake is more than \$75,000. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

#### 1. The Plaintiff(s)

The plaintiff, (name) Charles Bowes, is a citizen of the  
State of (name) Illinois.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

If the defendant is an individual

The defendant, (name) , is a citizen  
of the State of (name)  Or is a citizen  
of (foreign nation) .

If the defendant is a corporation

The defendant, (name) .

is incorporated under the laws of the State of (name)  
, and has its principal place of  
business in the State of (name)  Or  
is incorporated under the laws of the State of (foreign nation)  
, and has its principal place  
of business in (name) .

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy----the amount the plaintiff(s) claims the defendant(s) owes or the amount at stake----is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\$2,426 because Defendants refuse to pay refunds to me, a nonresident, unless I travel outside the City for business. This is an arbitrary distinction without rational basis. This conduct violates Plaintiff's Fourteenth Amendment right to equal protection.

### **III. Statement of Claim**

Type, or neatly print, a short and plain statement of the **FACTS** that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

1. What happened to you?
2. When did it happen?
3. Where did it happen?
4. What injuries did you suffer?
5. What did each defendant personally do, or fail to do, to harm you?

1. Defendants refuses to pay tax refunds to Plaintiff for work performed outside the City of St. Louis after Plaintiff filed for refunds and protested Defendants illegal refusal to pay.
2. Plaintiff filed for refunds for tax years 2021 and 2022 on or about 25 March 2023.
3. City of St. Louis and O'Fallon, Illiois.
4. Plaintiff seeks damages in the amount of the refunds he would have received but for Defendants' unconstitutional conduct, and injunctive relief to stop Defendants' unlawful conduct.
5. Defendants refuse to pay tax refunds for work accomplished outside the City of St Louis. This change of policy without any change to the earnings tax ordinance itself, and with Plaintiff's money already in Defendants' hands, Defendants refuse to pay refunds to nonresidents In doing so, Defendants are brazenly and unlawfully keeping Plaintiff's money. This shocks the conscience and violates Plaintiff's Fourteenth Amendment right to substantive due process. This further violates his Fourth Amendment right to be free of unreasonable seizures. Defendants' conduct enacts a new tax or expands the tax base, and therefore, is subject to a declaration that it violates the Hancock Amendment.

### **IV. Relief**

State briefly and precisely what damages or other relief you want from the Court. Do not make legal arguments.

Tax refund of \$2426.00 from City of St. Louis for work outside the city, and order the Collector to amend form E-1R to match the 2019 E-1R, and issue such other orders as the court finds to be just and reasonable.

Do you claim the wrongs alleged in your complaint are continuing to occur now?

Yes ☐ No ☒

Do you claim actual damages for the acts alleged in your complaint?

Yes ☒ No ☐

Do you claim punitive monetary damages?

Yes ☐ No ☒

If you indicated that you claim actual damages or punitive monetary damages, state the amounts claimed and the reasons you claim you are entitled to recover these damages.

#### V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23 day of July, 2023.

Signature of Plaintiff(s) 

Section IV amended 13 Aug 2023